

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: David Yokup  
DOCKET NO.: 06-29725.001-R-1  
PARCEL NO.: 22-32-103-001-0000

The parties of record before the Property Tax Appeal Board are David Yokup, the appellant, by attorney Rusty A. Payton of the Law Offices of Rusty A. Payton, P.C., Chicago, Illinois; and the Cook County Board of Review.

The subject property is a 20-year old, two-story style dwelling of frame and masonry construction containing 2,010 square feet of living area with a partial, unfinished basement.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted for consideration four comparable properties described as two-story frame and masonry dwellings that range in age from 16 to 28 years old. On the appellant's map, the comparables are located approximately three miles from the subject property. The comparables contain from 2,021 to 2,508 square feet of living area and have improvement assessments ranging from \$9.98 to \$11.65 per square foot. The subject's improvement assessment is \$16.71 per square foot. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review Notes on Appeal." In support of the subject's assessment, the board of review submitted a list of twenty comparable sales that occurred from September 1991 through January 2005 within the same assigned neighborhood and with the same classification code as the subject property. However, the board of review failed to submit any evidence to demonstrate the subject property was fairly assessed.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	6,551
IMPR.:	\$	22,814
TOTAL:	\$	29,365

Subject only to the State multiplier as applicable.

PTAB/BRW/Jul.08/06-29725

Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has overcome this burden.

The Board finds the only evidence pertaining to the uniformity of the subject's improvement assessment was submitted by the appellant who provided detailed data on four comparables. Although the appellant's comparables were located approximately three miles from the subject property, they all had the same assigned neighborhood code as the subject property. The appellant's comparables numbered two and four were the most similar to the subject in age, design, size, and exterior construction. These comparables had improvement assessments of \$11.08 and \$11.65 per square foot of living area. The appellant's evidence disclosed the subject had an improvement assessment of \$33,587 or \$16.71 per square foot of living area, which falls well above the improvement assessments of the most comparable properties. The board of review did not submit any evidence to demonstrate that the subject property was equitably assessed. The Board has examined the information submitted by the appellant and finds, based on this evidence that was not refuted, a reduction in the assessed valuation of the subject property's improvement is justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.